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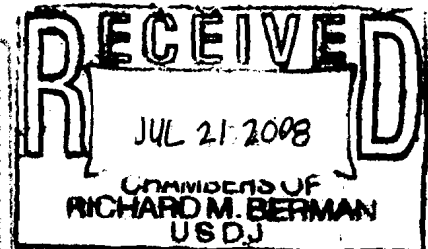
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MEMO ENDORSED

July 21, 2008

BY FACSIMILE (212) 805-6717
Honorable Richard M. Berman
United States District Court for the
Southern District of New York
500 Pearl Street
New York, New York 10007

USDC SDNY
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Re: **Dwayne Pannell v. Dr. Jay's, Inc.**
Civil Action No. 07-3503

Dear Judge Berman:

On July 14, the parties appeared before Your Honor for the Fairness Hearing in connection with the settlement of the above-referenced case. At that time, the parties were directed to file with the Court by July 21st a joint letter which provided, inter alia, the number of opt-outs, number of returned notices and Plaintiff's counsel's billing records. The parties respectfully request a one week extension, to July 28, in which to file this letter. Plaintiff's counsel has advised me that he unexpectedly needed to travel out of town last week and is returning today. He is in the process of collecting his billing records as well as those of his co-counsel.

We apologize for any inconvenience this request may cause the Court.

Very truly yours,

JACKSON LEWIS LLP

Diane Windholz
Diane Windholz

Application granted.

SO ORDERED:
Date: 7/21/08 Richard M. Berman
Richard M. Berman, U.S.D.J.